

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
                                )  
v.                             ) Criminal Action No.  
                                )  
GEORGE H. ZYLKIS,         )  
                                )  
                                )  
Defendant.                 )

REPORT AND RECOMMENDATION

On February 17, 2015, I ordered Defendant to undergo a competency evaluation (Doc. No. 15). Defendant was examined by Dawn Graney, Psy.D., who prepared a report dated June 12, 2015 (Doc. No. 71).

A competency hearing was held on July 7, 2015. The government was represented by Assistant United States Attorney Jeffrey McCarther. Defendant appeared via video conference with appointed attorney Anita Burns. The parties stipulated to the contents and findings of Dr. Graney's report (Tr. at 3). No additional evidence was presented. The parties waived the fourteen-day objection period (Tr. at 3).

Based upon the uncontested evidence stipulated to by the parties in this case, I find that Defendant is not competent to stand trial and assist in his defense. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding Defendant incompetent to stand trial and to assist in his defense.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
July 8, 2015